

031004

16138 U.S.PTO

PTO/SB/05 (11-00)

Approved for use through 07/31/06. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))		<i>Attorney Docket No.</i>	03968- P0001D
		<i>First Inventor</i>	David Kirchhoff, et al.
		<i>Title</i>	Weight Control System Having Varying Meal
		<i>Express Mail Label No.</i>	EL 889893618 US

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents</i>		<i>ADDRESS TO:</i> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450	
1. <input checked="" type="checkbox"/>	Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i>	7. <input type="checkbox"/>	CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input checked="" type="checkbox"/>	Applicant claims small entity status See 37 CFR 1.27.	8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>	a. <input type="checkbox"/> Computer Readable Form (CRF)
3. <input checked="" type="checkbox"/>	Specification [Total Pages <u>71</u>] <i>(preferred arrangement set forth below)</i>	b.: Specification Sequence Listing on:	i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper
	- Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claims(s) - Abstract of the Disclosure	c. <input type="checkbox"/> Statement verifying identity of above copies	
4. <input checked="" type="checkbox"/>	Drawings(s) (35 USC 113) [Total Sheets <u>28</u>]	ACCOMPANYING APPLICATION PARTS	
5. Oath or Declaration	[Total Sheets <u>12</u>]	9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	37 CFR 3.73(b) Statement <input type="checkbox"/> Power of <i>(when there is an assignee)</i> <input type="checkbox"/> Attorney
a. <input type="checkbox"/> Newly executed (original or copy)	b. <input checked="" type="checkbox"/> Copy from prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i>	11. <input type="checkbox"/> English Translation Document (if applicable)	Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventors(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).		13. <input type="checkbox"/> Preliminary Amendment	
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>	Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>
18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:	15. <input type="checkbox"/>	16. <input type="checkbox"/> Nonpublication Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 of its equivalent.	17. <input type="checkbox"/> Other.....

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: 10/355,425 Filed 1/31/2003

Prior application information: Examiner Group/Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number:	24126		OR <input checked="" type="checkbox"/> Correspondence address below		
Name	Wesley W. Whitmyer, Jr.				
Address	St. Onge Steward Johnston & Reens LLC 986 Bedford Street				
City	Stamford	State	CT	Zip Code	06905-5619
Country	United States	Telephone	203 324-6155	Fax	203 327-1096
Name (Print/Type)	Todd M. Oberdick	Registration No. (Attorney/Agent)	44,268		
Signature	<i>Todd M. Oberdick</i>			Date	3/10/04

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 ND 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, Patent and Trademark Office, Washington, DC 20231-1450.

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19270 U.S.PTO
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031004

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 2018.00)

Complete if Known

Application No.	- Pending
Filing Date	March 10, 2004
First Named Inventor	David Kirchhoff, et al.
Examiner Name	

 Art Unit

Attorney Docket Number 03968-P0001D WWW/TMO

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Other None
 Deposit Account: order

Deposit Account 19-4516

Deposit Account Name St.Onge Steward Johnston & Reens LLC

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fees(s) during the pendency of this application
 Charge fees(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1101	770	2001	385	Utility filing fee	770.00
1002	340	2202	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
		SUBTOTAL (1) (\$)		770.00	

2. EXTRA CLAIMS FEES FOR UTILITY AND REISSUE

Total Claims	-20**	Extra Claims	Fee from below	Fee Paid
Independent Claims	6	3	X 86.00	= 258.00
Multiple Dependent				

Large Entity

Small Entity

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1201	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claims, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 over original patent	
		SUBTOTAL (2) (\$)		1248.00	

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1051	130		2051	65	Surcharge - late filing for or oath	
	1052	50		2052	25	Surcharge - late provisional filing or cover sheet	
	1053	130		1053	130	Non-English specification	
	1812	2,520		1812	2,520	For filing a request for <i>ex parte reexamination</i>	
	1804	920*		1804	920*	Requesting publication of SIR prior to Examiner action	
	1805	1,840*		1805	1,840*	Requesting publication of SIR after Examiner action	
	1251	110		2251	55	Extension for reply within first month	
	1252	40		2252	210	Extension for reply within second month	
	1253	950		2253	475	Extension for reply within third month	
	1254	1,450		2254	725	Extension for reply within fourth month	
	1255	1,970		2255	985	Extension for reply within fifth month	
	1401	330		2401	165	Notice of Appeal	
	1402	330		2402	165	Filing brief in support of an appeal	
	1403	290		2403	145	Request for oral hearing	
	1451	1,510		1451	1,510	Petition to institute a public use proceeding	
	1452	110		2452	55	Petition to revive - unavoidable	
	1453	1,330		2453	665	Petition to revive - unintentional	
	1501	1,330		2501	665	Utility issue fee (or reissue)	
	1502	480		2502	240	Design issue fee	
	1503	640		2503	320	Plant issue fee	
	1460	130		1460	130	Petitions to the Commissioner	
	1807	50		1807	50	Processing fee under 37 CFR 1.17(q)	
	1806	180		1806	180	Submission of Information Disclosure Stmt	
	8021	40		8021	40	Recording each patent assignment per property (times number of properties)	
	1809	770		2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
	1810	770		2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
	1801	770		2801	385	Request for Continued Examination (RCE)	
	1802	900		1802	900	Request for expedited examination of a design application	
	Other fee (specify)						
*Reduced by Basic Filing Fee Paid						SUBTOTAL (3) (\$)	0.00

SUBMITTED BY St.Onge Steward Johnston & Reens LLC

Complete (if applicable)

Name (Print/Type)	Todd M. Oberdick	Registration No (Attorney/Agent)	44,268	Telephone	203 324-6155
Signature				Date	3/10/2004

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Provide credit card information and authorization on PTO-2038

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PATENT
03968-P0001D WWW/TMO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	David Kirchhoff, et al.
Serial No. - Pending	March 1, 2004
Title of Application:	Weight Control System Having Varying Meal Plans And Meal Planning Schemes

Mail Stop Patent Application
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Cover Sheet For Twenty Eight Sheets Of Drawings

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